

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

Eliseo Rivera Cortés, Gloria Pillot, et al,

Plaintiffs

v.

Airport Catering Services, Corp.,
Union Independiente de Trabajadores
de Aeropuertos

Defendants

Civil No. 98-2092(GG)

CIVIL ACTION

**MOTION IN OPPOSITION TO COPLAINTIFFS' MOTION FOR AN ADDITIONAL 2
WORKING DAYS ENLARGEMENT OF TIME**

TO THE HONORABLE COURT:

Comes now Co-Defendant, Airport Catering Services Corp., hereinafter referred to as ACS, represented by its undersigned attorneys and very respectfully states and prays as follows:

1. Today, the appearing party received, through regular mail, two motions titled *Declaration that Party was Unable to File a Timely Manner due to Technical Difficulties* and *Motion for an Additional 2 Working Days Enlargement of Time*.

2. In sum, Co-Plaintiffs allege that their legal representative has been unable to file their response/reply to ACS' *Motion in Opposition to Group 'Y' Coplaintiffs' Objections* (Docket No. 119), due to the extraordinary fact that now their counsel's internet system is out of order. Therefore, Co-Plaintiffs request an addition two (2) working days, to the already requested and conceded ten (10) days.

3. It is ACS' contention that Co-Plaintiffs' request is no more than a dilatory request in order to extend the life of a case that has been under the consideration of this Honorable Court

for more than seven years. In addition, the fact that two months have passed since Honorable Magistrate Judge Camille L. Vélez Rivé issued her “Report and Recommendation” (Docket No. 111), is evidence that Plaintiffs are unable to adequately object to the findings issued by the Magistrate Judge and adequately object to ACS’ Motion in Opposition.

4. As stated in our previous motion, these dilatory tactics not only generate unnecessary costs and attorney fees for ACS, but also infringe the scope and purpose of the Federal Rules of Civil Procedure which require that the same be administered in a manner to secure a just, speedy, and inexpensive determination of every action. See, Rule 1 of the Fed.R.Civ.P.

WHEREFORE, it is respectfully requested from this Honorable Court to deny Co-Plaintiffs’ request for an enlargement of time

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 26th day of April, 2005.

I HEREBY CERTIFY that on April 26, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Luis R. Mellado-González, Esq.; José Carreras, Esq.; and Nereida Feliciano Ramos, Esq. Moreover, I certify that an exact copy was sent, via regular mail, to Luis R. Mellado-González, Esq., 239 Arterial Hostos Suite 404, San Juan, P.R. 00918-2543.

s/ Alberto R. Estrella Arteaga
 Alberto R. Estrella Arteaga
 USDC PR No. 217606
 Curbelo, Baerga & Quintana Law Office
 Union Plaza Bldg. Suite 810
 Ponce de León Avenue 416
 San Juan, PR 00918-3426
 Tel. (787) 753-7455
 Fax. (787) 756-5796
cobelobaerga@microjuris.com